

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

* * * * *

SIOUX RURAL WATER SYSTEM, INC., * Civ. 15-1023
a Non-Profit Corporation *
*
Plaintiff, *
*
-vs- * AMENDED AFFIDAVIT OF
* ZACHARY W. PETERSON

CITY OF WATERTOWN, a South Dakota *
Municipality, and WATERTOWN *
MUNICIPAL UTILITIES, an agency of *
the CITY OF WATERTOWN, *
*
Defendants. *

* * * * *

STATE OF SOUTH DAKOTA)
: SS.
COUNTY OF BROWN)

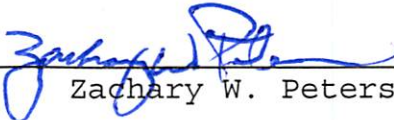
Zachary W. Peterson, being first duly sworn, on oath,
deposes and states as follows:

1. I am one of the attorneys representing the
defendants in the above-captioned case, and I make this affidavit
upon my personal information and knowledge. This affidavit is
submitted in response to the Court's November 10, 2016 Memorandum
(Doc. 32), requesting that the parties highlight their
submissions.

2. Attached hereto and submitted in support of
Defendants' Motion for Summary Judgment are the following
Exhibits, which have been revised as stated:

A. Cited portions of the transcript of the deposition
of Heath Thompson, taken on February 17, 2016.
Cited content has been highlighted.

- B. Cited portions of the transcript of the deposition of Jeff Deville, taken on February 16, 2016. Cited content has been highlighted.
- C. Cited portions of the transcript of the deposition of Steve Lehner, taken on February 16, 2016. Cited content has been highlighted.
- D. Cited portions of the transcript of the deposition of Darwin Mack, taken on February 16, 2016. Cited content has been highlighted.
- E. Cited portions of the transcript of the deposition of Darin Schriever, taken on June 29, 2016. Cited content has been highlighted.
- F. Portions of DGR Engineering Report, dated February 5, 2016 (Darin Schriever, Deposition Exhibit 4). The entire report was provided as Exhibit F to the previously-filed Affidavit of Zachary W. Peterson in order to provide the Court with context. Defendants direct the Court specifically to the findings discussed in Appendix E to the report. Consequently, the attached exhibit has been revised to include:
 - 1. Cover Sheet and Certification.
 - 2. The following portions of Appendix E: Paul Messner's 1/25/16 Memorandum and sheets 1 and 10.
- G. Documents produced by plaintiff in discovery labeled SIOUX 121-127, SIOUX 141-142, SIOUX 429-434, SIOUX 546, and SIOUX 570.


Zachary W. Peterson

Subscribed and sworn to before
me this 11th day of November, 2016.


Notary Public, South Dakota
My Commission Expires: 3/12/21

